

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ADRIANA ORNELAS, as Administrator of	)	
the Estate of RODOLFO ROMO, Deceased,	)	
	)	
Plaintiff,	)	
vs.	)	Civil No. 15-CV-00547-SMY-SCW
	)	
THE UNITED STATES OF AMERICA and	)	
TOTAL METAL RECYCLING, INC.,	)	
	)	
Defendants.	)	

**MOTION FOR EXTENSION OF 45 DAY ORDER**

Defendant United States of America, by and through its attorneys, Donald S. Boyce, United States Attorney for the Southern District of Illinois, and Assistant United States Attorneys David J. Pfeffer and Adam E. Hanna, now files this Motion for an additional 45-day extension to consummate settlement. The following information is submitted in light of the Court's previous 45-Day Order (Doc. 125) directing counsel to address the parties' progress by May 17, 2017.

As noted in the Court's original 90-day Order (Doc. 123), the settlement of this matter requires final approval by the Department of Justice (DOJ), in particular the Associate Attorney General (AAG). Before the AAG can consider a formal request for settlement approval, the parties must reach an agreement in principle as to all terms, including contractual language.

The United States Attorney's Office and TMR are actively engaged in discussions regarding one remaining dispute as to language in the proposed settlement agreement. The United States and TMR are working diligently with regard to the proposed language and expect to provide the Court additional, updated information regarding their progress in the near future.<sup>1</sup>

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<sup>1</sup> The United States will separately respond to Plaintiff's "Motion to Enforce Settlement" (Doc. 126) in accordance with the briefing schedule provided by the Court (*see* Doc. 127).

As for the expiration of the Court's 45-day Order, additional time is needed and dismissal is not yet appropriate. Accordingly, Defendant United States of America requests a 45-day extension of the Court's current 45-Day Order (Doc. 125).

Respectfully submitted,

**DONALD S. BOYCE**  
**United States Attorney**

*s/ David J. Pfeffer*

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on May 17, 2017, he filed a copy of the foregoing

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with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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